

12 October 1955

MEMORANDUM FOR: Director of Training

SUBJECT: Intelligence Literature

1. I have long felt the same need as that stated by Dr. Kent for intelligence literature, particularly insofar as our function is concerned. What I believe we need from this Office is a series of treatises on law in the intelligence process. So far we have been able to produce only one such treatise which considers the history and philosophy of the use of confidential funds by our Government. This was done several years ago and we have not been able to apply ourselves similarly to the many other subjects involved. It is the same problem stated by Dr. Kent - where do you get Mr. X.? Trying to combine the day-to-day practice of the law as we get it with an academic, objective review of that same work is just not satisfactory. We did our confidential funds treatise by assigning a brand new and intelligent member of the Office from outside the Agency to finish the work before he undertook any other. This condition is not often met.

2. We then sought and obtained approval to contract with an outstanding lawyer in private life to work for a year on this problem. To get such a lawyer of proper qualifications is extremely difficult, and the one prospect who seemed to meet all requirements was Dean of a law school who proposed to spend his sabbatical in this manner. Unfortunately, other requirements prevented him from fulfilling our proposal. We are continuing our attempt to find the right person, as we still believe the matter is extremely important.

3. All of the required information is probably somewhere in the files of the Agency, but the philosophy behind it, the chronological development, and the practical application is very largely in the heads of myself and my staff. Were we to be suddenly eliminated, a new staff of capable lawyers would eventually re-evolve the whole structure. But the loss of time and the probable temporary confusion would cost the Government many times the cost of producing our law literature.

4. Our case may be different from the literature on the intelligence function itself, as we feel an outside lawyer could, in about a year, absorb enough to write intelligently on the law in intelligence and that more objectivity would be obtained by utilizing an outside lawyer. Perhaps in the intelligence fields as such only someone who has dealt intimately with them can develop the proper literature. However, I felt our experience and approach might be of some use to you and others in this field.

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LAWRENCE R. HOUSTON  
General Counsel